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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

8806

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on April 4, 2006Signature Michelle GeorgeTyped or printed name Michelle George

Application Number

09/750, 948

Filed

December 28, 2000

First Named Inventor

Perry G. Vincent

Art Unit

3623

Examiner

Susanna M. Meinecke
Diaz

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

 applicant/inventor.James M. Stover

Signature

 assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

James M. Stover

Typed or printed name

 attorney or agent of record.Registration number 32,759937-445-7663

Telephone number

 attorney or agent acting under 37 CFR 1.34.April 4, 2006Registration number if acting under 37 CFR 1.34

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NCR Docket No. 8806

Application of:

Perry G. Vincent

Group Art Unit: 3623

Serial No. 09/750,948

Examiner: Susanna M. Meinecke Diaz

Filed: December 28, 2000

For: **SYSTEM AND METHOD FOR SUGGESTING INTERACTION
STRATEGIES TO A CUSTOMER SERVICE REPRESENTATIVE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing is an Appeal Brief to the Final Rejection dated January 4, 2006.

- Please charge Deposit Account No. 14 0225 for the Appeal Brief fee or any other fees associated with the filing of said Appeal Brief.
- Please charge any additional fees to the account of NCR Corporation, Deposit Account No. 14 0225.

Respectfully submitted,

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Reg. No. 32,759

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CERTIFICATION OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 4/4/06.

By: Michele George
Name: Michele George

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 8806

Application: Perry G. Vincent

Group Art Unit: 3623

Serial No. 09/750,948

Examiner: Susanna M. Meinecke Diaz

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For: **SYSTEM AND METHOD FOR SUGGESTING INTERACTION
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Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicant respectfully requests review of the final rejection of the present application. No amendments are being presented with this request. This request is being filed concurrently with a Notice of Appeal.

35 U.S.C. §102(b) Rejection of Claims 1, 4-6 and 9

The rejection of claims 1, 4-6 and 9 under 35 U.S.C. §102(b) as being clearly anticipated by the publication titled "Net Perceptions Alters Dynamics of Marketing Industry with introduction of Net Perceptions for Call Centers" is respectfully traversed.

Claim 1 recites a method of suggesting an interaction strategy to a customer service representative in a customer relationship management environment, said method comprising the steps of (1) maintaining an interaction repository containing customer data; (2) utilizing one or more data analysis tools comprising

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By: Michele George
Name: Michele George

executable instructions to analyze said customer data to determine one or more patterns and generate a set of rules based upon said patterns; and (3) using a recommendation engine to apply said rules to a current customer interaction to recognize one or more of said patterns in said interaction and suggest an interaction strategy corresponding to said recognized patterns.

The Net Perceptions Publication discloses pooling information from current and previous customer calls, drawing information from a database of customer information, and use of a recommendation engine in call center applications. It is not seen, however, that the Net Perceptions Publication teaches “one or more data analysis tools comprising executable instructions to analyze said customer data to determine one or more patterns and generate a set of rules based upon said patterns” as part of the Net Perceptions call center solution.

Accordingly it is believed that claim 1, as well as claims 4-6 and 9 which depend from claim 1, are patentable over the cited Net Perceptions Publication.

35 U.S.C. §103(a) Rejection of Claims 7, 8 and 10-20

The rejection of claims 7, 8 and 10-20 under 35 U.S.C. §103(a) as being unpatentable over the Net Perceptions Publication in view of Andrews, “A Hidden Agenda” is respectfully traversed.

Method claims 7, 8 and 10, which depend from claim 1, each include the step of “utilizing one or more data analysis tools comprising executable instructions to analyze said customer data to determine one or more patterns and generate a set of rules based upon said patterns.” Method claims 16 through 20 each include the step of “utilizing one or more data analysis tools comprising executable instructions to analyze said customer data to determine one or more patterns.” It is not seen that the Net Perceptions Publication or Andrews, taken singularly or in combination, teaches “one or more data analysis tools comprising

executable instructions to analyze said customer data to determine one or more patterns."

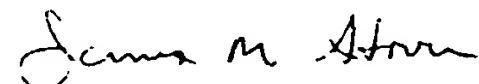
Each one of claims 11 through 15 of the present application recites a system which includes, among other elements, "one or more data analysis tools comprising executable instructions for analyzing said customer data from said plurality of channels and determining one or more patterns from said data."

Neither the Net Perceptions Publication or Andrews, taken singularly or in combination, teaches "one or more data analysis tools comprising executable instructions for analyzing said customer data from said plurality of channels and determining one or more patterns from said data," an element of each one of claims 11 through 15.

For the reasons stated above, it is believed that claim 7, 8, and 10-20 are patentable over the cited references.

Review of the present application and claims with consideration of the foregoing comments, and reconsideration of the rejection of claims 1 and 4 through 20, are respectfully requested.

Respectfully submitted,



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